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Drew R. Herndon
Drew R. Herndon



PATENT

Attorney Docket No. 16842-739

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Woudenberg et al.

Application No.: 08/752,973

Filed: Herewith (as CPA)

Title: SYSTEM FOR REAL TIME DETECTION OF
NUCLEIC ACID AMPLIFICATION PRODUCTS

) PATENT APPLICATION

)

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) Art Unit: 1807

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) Examiner: K. Horlick

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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X This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- X (1) It is being filed within 3 months of the application (CPA) filing date
-- OR --
— (2) It is being filed within 3 months of entry of a national stage
-- OR --
— (3) It is being filed before the mail date of the first Office Action on the merits.

— 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

— a certification as specified in §1.97(e) is provided below; **or**

— a fee of \$240.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

— 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; **and**

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

X *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$ 0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.16842-739).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: Sept. 1, 1998

By: David J. Weitz
David J. Weitz
Reg. No. 38,362

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300